



## **CITY OF HAYWARD**

### **AGENDA REPORT**

AGENDA DATE 01/05/99

AGENDA ITEM 3

WORK SESSION ITEM       

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Vesting Tentative Map Tract 7044 & Site Plan Review Application No. 98-130-10 - Passport Homes, Inc. (Applicant) Tom & Helga Barras Et Al (Owners) - Request to subdivide three parcels totaling 1.92 acres into 13 parcels ranging in size from 4,786 square feet to 7,081 square feet and to request approval of site and architectural plans

The project is located at 24912, 24918 and 24924 Mohr Drive, easterly side, approximately 130 feet north of Laguna Drive and to the west of Bamboo Court, in an RSB4 (Single-Family Residential, 4,000 square-foot minimum lot size) District.

#### **RECOMMENDATION:**

The Planning Commission (5:2) recommends approval.

1. Approve the Negative Declaration;
2. Approve the Vesting Tentative Map Tract 7044, subject to the attached conditions;
3. Approve Site Plan Review Application No. 98-130-10; and
4. Vacate excess right-of-way and authorize the City manager to execute the sale of excess real property.

Staff recommends denial.

#### **DISCUSSION:**

##### Project Description

The proposed subdivision consists of five lots along Mohr Drive and eight lots along an extension of Bamboo Court, which was constructed as part of a housing development on the former Sunnyside Nursery site. All lots but one are at least 5,000 square feet in area. The proposed lots along Bamboo Court depart from City standards in that lots do not fan out around the cul-de-sac. Two house models are proposed, each with three elevations. All have stucco finishes with concrete tile roofs, and they complement homes in the surrounding tract.

Approximately 331 square feet of excess right-of-way will be created by completion of the curved section of Mohr Drive abutting Tract 7044. Staff recommends the vacation of the small piece of right-of-way and sale to the developer for \$1,000, since it is not required for street purposes and eliminates an area behind the sidewalk that would otherwise be the City's responsibility.

#### Planning Commission Action

At the Planning Commission hearing, discussion centered around the design of the tract. Rather than lots fanning around the perimeter of the cul-de-sac, the proposed lots line the north and south sides of the cul-de-sac, which ends with a wall with landscaping in front of it. The City's Subdivision Ordinance requires lots to "fan out" around a cul-de-sac, and the City's Design Guidelines state that negative view corridors should not be created, "such as a street ending at blank wall."

The Planning Commissioners who supported the project indicated that the 20 feet of landscaping proposed in front of the wall at the end of the cul-de-sac and the amount of parking that would be provided over and above a conventional cul-de-sac design, compensated for the departure from the City standards. Some Commissioners pointed out that the proposed design had the advantage to the applicant of 13 lots, whereas the typical cul-de-sac design would result in twelve lots. All supported the designs of the homes.

Speaking in support of the tract design, the applicant indicated that houses at the end of the cul-de-sac would be designed so that their occupants could not look directly from west-facing second story windows onto the adjacent rear yards of houses fronting on Mohr Drive. He indicated that the wall at the end of the cul-de-sac would be attractive, that there would be substantial tree planting between properties to preserve privacy, and that the landscaping at the end of the cul-de-sac would be maintained by owners of the two adjacent lots. He added that he would bond the landscaping for the first two years to insure that it is adequately established.

An initial motion to support the staff recommendation of denial failed on a 3:4 vote. A subsequent motion to approve the project as designed carried on a 5:2 vote.

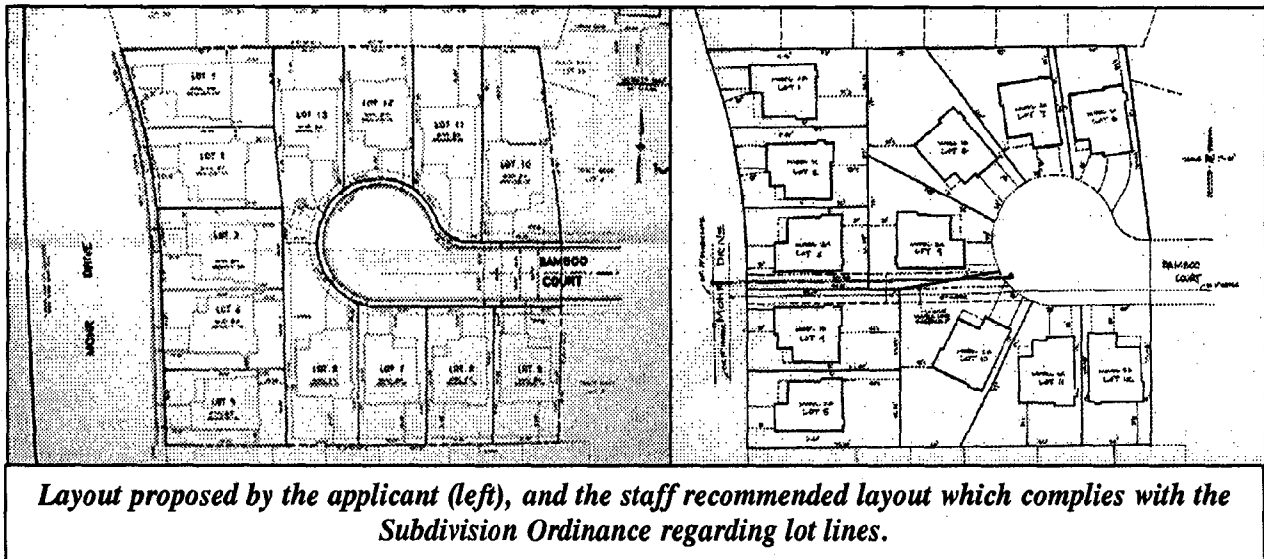
At the hearing, one individual supported the project but expressed concern about impacting local schools. Another individual who lives nearby said that there is a lack of sufficient parking in the area. She questioned the adequacy of the drainage system and asked that construction not begin before 8 a.m. Hayward Unified School District indicates that approximately seven students will come from this development and will attend Eden Gardens School located on Mohr Drive, which has adequate room to house the students. The proposed drainage system was described, which involves easements over properties to direct drainage to Mohr Drive.

#### Staff Position

Staff does not support the project because the design is not consistent with adopted street standards and the Design Guidelines. The standard arrangement of lots fanned around the cul-de-sac provides greater privacy for each home, as well as opportunities for residents to view activities on the street, promoting neighborhood security and a sense of community. The side yards of the lots proposed by the applicant would be between 5 and 8.4 feet of the rear yards of the homes that front on Mohr Drive, whereas the back-to-back rear yard arrangement of the

standard lot pattern provides much greater separation (at least 20 feet). In staff's opinion, a cul-de-sac is also more attractive with houses arranged around it.

Below is a comparison of the two lot configurations. The map on the left represents the configuration proposed by the applicant. The wall is placed at the end of Bamboo Court with a landscape buffer that is essentially the extension of the front and side yards of lots 8 and 13. The map on the right is the configuration that complies with City standards, placing homes at the end of the cul-de-sac.




In reference to parking, which was an issue of concern to the Planning Commission, staff finds that the applicant's Bamboo Court layout provides 11 on-street parking spaces for eight homes, whereas the staff-recommended alternative provides nine on-street parking spaces for seven homes. As such, both the proposed design and the staff suggested alternative provide more than the minimum on-street parking required by City ordinance; with the applicant's alternative providing slightly more per unit parking than the staff recommended alternative (1.37/unit vs 1.28/unit).

### Summary

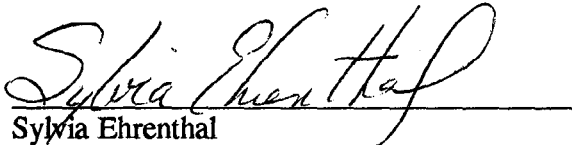
Staff is recommending denial of Vesting Tentative Map Tract 7044 and Site Plan Review Application No. 98-130-10 because the design is not consistent with adopted City standards and guidelines. Findings for denial are attached as Exhibits A and B. Recent project approvals by the City Council have reaffirmed support for maintaining the City standards that address the design of cul-de-sacs and the importance of providing sufficient separation between homes. For example, on December 8, 1998, the City Council approved the Summerhill residential development at Huntwood and Olympic wherein all lots were required to comply with cul-de-sac standards. Should Council desire to approve the lot layout as proposed by the applicant, staff will prepare the appropriate findings, conditions of approval and street vacation action for Council consideration on January 12, 1999.

Prepared by:



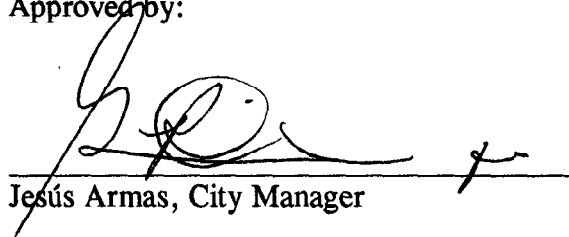
Sheldon R. McClellan  
Senior Planner

Recommended by:



Sylvia Ehrental  
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A - Vesting Tentative Map Tract 7044 - Findings for Denial  
Exhibit B - Site Plan Review Application No. 98-130-10 - Findings for Denial  
Exhibit C - Planning Commission Meeting Minutes and Staff Report  
w/attachments dated 11/12/98  
Vesting Tentative Map Tract 7044  
Site Plan, Floor Plans, Elevations  
Draft Resolution(s)

12.23.98

**EXHIBIT A**

**FINDING FOR DENIAL  
VESTING TENTATIVE TRACT MAP 7044  
FOR 13 SINGLE-FAMILY**

**Passport Homes, Inc. (Applicant) - Tom & Helga Barras et al (Owners)  
Bamboo Court**

Based on the public hearing record, the City Council finds as follows:

The tentative tract map as proposed *does not* conform with the City of Hayward Subdivision Regulations, in that it violates the requirements of the Hayward Municipal Code regarding lot design, lot lines, and lot size and proportion. The applicant did not show cause for granting of a variance due to hardship or special circumstance and has declined to provide an alternative lot layout.

**EXHIBIT B**

**FINDING FOR DENIAL  
SITE PLAN REVIEW APPLICATION NO. 98-130-10  
Passport Homes, Inc. (Applicant) - Tom & Helga Barras et al (Owners)**

Based on the public hearing record, the City Council finds as follows:

The proposed siting of residences on the single-family detached lots **does not** comply with the intent of City development policies including the City of Hayward Design Guidelines which advocates not creating negative view corridors, such as a street ending at a blank wall

4. ~~USE PERMIT APPLICATION NO. 98-160-18 - RODNEY HALL, PENTECOSTAL CHURCH (APPLICANT), CALTRANS (OWNER) - Request for the Pentecostal Church of Hayward to occupy the property and use the premises for religious services and offices, and other community services, including family and youth counseling, English language tutoring, immigration documentation assistance, dinner fund raisers, private weddings and receptions, and once a week food distribution to the needy. The site is located at 24962 Mission Boulevard (former Elks Lodge) in a General Commercial (CG-SD2) District.~~

**PUBLIC HEARINGS**

1. **VESTING TENTATIVE MAP TRACT 7044 AND SITE PLAN REVIEW NO. 98-130-10 - PASSPORT HOMES, INC. (APPLICANT), TOM & HELGA BARRAS, ET AL (OWNERS)** - Request to subdivide three parcels totaling 1.92 acres into 13 parcels ranging in size from 4,786 square feet to 7,081 square feet and to request approval of site and architectural plans for 3 single-family dwellings. The proposed project is located at 24912, 24918 and 24924 Mohr Drive and will include extension of Bamboo Court. (Amended: Request to vacate 0 to 4'-wide strip of excess Right-of-Way along Mohr Drive)

**(CONTINUED FROM NOVEMBER 12, 1998)**

Development Review Engineer Anastas presented the request and recommended that the Planning Commission advise the City Council to approve the negative declaration, deny the Vesting Tentative Tract Map, and deny the Site Plan Review application as submitted. He indicated that staff does not support the lot pattern as proposed by the developer because the design is inconsistent with the City's Design Guidelines and since potential impacts would be created to adjoining proposed lots. The City of Hayward Subdivision Ordinance speaks to lot lines indicating that they shall be fan-shape or radial whenever possible. He indicated that staff supports an alternate layout prepared by the applicant which complies with the Ordinance provisions but which would result in the loss of one lot.

Public Hearing Opened at 7:50 p.m.

Don Babbitt, 11626 Regio Court, Dublin, developer of the property, said that in developing the property, they paid attention to the existing neighbors and designed setbacks along the perimeter for privacy. In response to staff's objection of the blank wall, he said they would make it a precast wall, planted with ivy and additional shrubs and trees. He added that the wall could also be designed with a five-foot jog in it, to add relief to the design and create a shadow effect. As to the privacy issue, the second story would not be looking down into the backyards since there would be no eye-level windows on that side. He added that there would be a two-year insurance for the lawns to guarantee that they would take. His proposal will also increase the amount of parking in the cul-de-sac.

Al Reynolds, 2547 Erskine Lane, asked where the children would be going to school. He said he hoped the developer fees would be able to pay the cost of portables since the schools in the area are already impacted.

Maureen Bessette, 24881 Yoshida Drive, said that already parking is an issue in their neighborhood. She also wondered how this property is going to drain. She also asked that construction not begin before 8 a.m.

## MINUTES

## REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers, Thursday, November 19, 1998, 7:30 p.m. 777 "B" Street, Hayward, CA 94541

---

Public Hearing Closed at 8:11 p.m.

Commissioner Kirby said he was sympathetic to the arguments of the developer but working from the guidelines in this kind of cul-de-sac can be problematic. He **moved**, seconded by Commissioner Fish, the staff recommendation.

Commissioner Williams said he was concerned with the one lot impact on a development of this size. He indicated that the developer had gone to some lengths to accommodate staff and he also cited the example of Graystone. He added that he lives in a cul-de-sac and children do not generally play in the street because traffic is too fast. He said he hoped the Commission would give some consideration to the special circumstances and that the developer seems to be going beyond what is necessary.

Commission Bogue also expressed concerns with the motion. He said he couldn't recall when a developer had proposed 25-feet of landscaping before. He indicated that he was leaning more toward the applicant's configuration.

Commissioner Fish said he would support the motion. He had concerns regarding the disregard of the City Ordinance. He said he could not see not following staff guidelines in this instance.

Commissioner Caveglia said he was disturbed that we give away the shorelines and the ridge but then nit-pick on a 13 home development. He said the developer has made an effort to accommodate staff recommendations. He supported a "no" vote on the motion.

Commissioner Bennett thanked the applicant for the proposal and said she would support the motion. Staff recommendation is much more neighborly and benefits the community. She added that parking is a problem in a cul-de-sac but staff's proposal provides for a sense of security. She also complimented the applicant on the design of the houses.

Commissioner Halliday said she would go along with the developer and vote against the motion. She said there has been an effort to follow the guidelines. She suggested that the landscaped area near the wall might be available for a children's play area. She also asked that a condition be included that the homes not look out over the backyards of their neighbor's homes. She added that she appreciated the thought that had gone into the houses.

The motion **failed** by the following vote:

AYES:	COMMISSIONERS Bennett, Fish, Kirby
NOES:	COMMISSIONERS Bogue, Caveglia, Halliday CHAIRPERSON Williams
ABSENT:	None
ABSTAIN:	None

Commissioner Caveglia **moved**, seconded by Commissioner Halliday, to approve the application. The special circumstances include allowing more parking and the 25-foot landscaping.



Commissioner Bogue suggested that the wall not be jogged in order to maintain the whole amount of space for landscaping.

Commissioner Fish commended the architecture for a small development. He added that it is the business of the developer to know the guidelines.

The motion **carried** by the following vote:

AYES:	COMMISSIONERS Bogue, Caveglia, Halliday, Kirby CHAIRPERSON Williams
NOES:	COMMISSIONERS Bennett, Fish
ABSENT:	None
ABSTAIN:	None

2. **PRECISE DEVELOPMENT PLAN NO. 98-120-01 & SITE PLAN REVIEW NO. 98-130-12 - SIGNATURE PROPERTIES, INC. (APPLICANT/OWNER)** - Request for precise development plan approval and site plan review of house model plans for 135 single-family detached homes in the Bailey Ranch planned development project. The project site is located south of Hayward Boulevard/Fairview Avenue in a Planned Development (PD) District.

Associate Planner Mullen gave an overview of the report with a recommendation for approval by the Commission. This project is the Bailey Ranch property. The project will consist of 135 single-family homes. He added that the Emergency Vehicle Access has not yet been resolved. The grading on site is a balanced cut and fill project. This generally means that no significant amounts of dirt will be brought in or taken out.

Public Hearing Opened at 8:52 p.m.

Jim McKeehan, 36 Goldstone Court, Danville, project developer, said the development will have to import some dirt but none will be taken off the site. In response to Commissioner Kirby's question regarding the deeding of the open space, he said it will be offered to the public agencies with the first final map. In response to Commissioner Halliday's concerns about the amount of responsibility entrusted to the Homes Owner's Association, he said this would all be handled with a line-item budget out of which various professionals would be paid to do the work. He added that it is their intent to move as quickly as possible.

Robert Sakai, 26429 Chatham Court, said this fits the up-scale housing definition and the Woodland Estates will welcome this development. He encouraged the Commission to approve the application.

The Public Hearing Closed at 9:02 p.m.

Commissioner Halliday said the Commission has approved the plan in the past and this is consistent with what they approved. She **moved**, seconded by Commissioner Kirby, to approve the application.

Commissioner Kirby said he was impressed that the project will be fully sprinklered. He said he hoped for a citywide ordinance in this regard.



**AGENDA REPORT  
PLANNING COMMISSION ■ CITY OF HAYWARD**

**ITEM NO: 2**

**MEETING OF:  
November 12, 1998**

**TO:** Planning Commission

**FROM:** Sheldon McClellan, Senior Planner  
Tim Koonze, Development Services Specialist

**SUBJECT: VESTING TENTATIVE MAP TRACT 7044 AND SITE PLAN REVIEW APPLICATION NO. 98-130-10 - PASSPORT HOMES, INC. (APPLICANT) TOM & HELGA BARRAS ET AL (OWNERS)** Request to subdivide three parcels totaling 1.92 acres into 13 parcels ranging in size from 4,786 square feet to 7,081 square feet and to request approval of site and architectural plans for 13 single-family dwellings.

The proposed project is located at 24912, 24918 and 24924 Mohr Drive, easterly side, approximately 130 feet north of Laguna Drive and to the west of Bamboo Court in an RSB4 (Single-Family Residential, 4,000-square-foot minimum lot size) District. (APN: 441-74-16, 17, 18).

**RECOMMENDATION:**

That the Planning Commission recommend that the City Council:

1. Approve the Negative Declaration and find that the document is complete and final in accordance with the California Environmental Quality Act Guidelines and reflects the independent judgement of the Planning Commission;
2. Deny the Vesting Tentative Tract Map based on the attached findings; and
3. Deny the Site Plan Review application as submitted based on the attached findings.

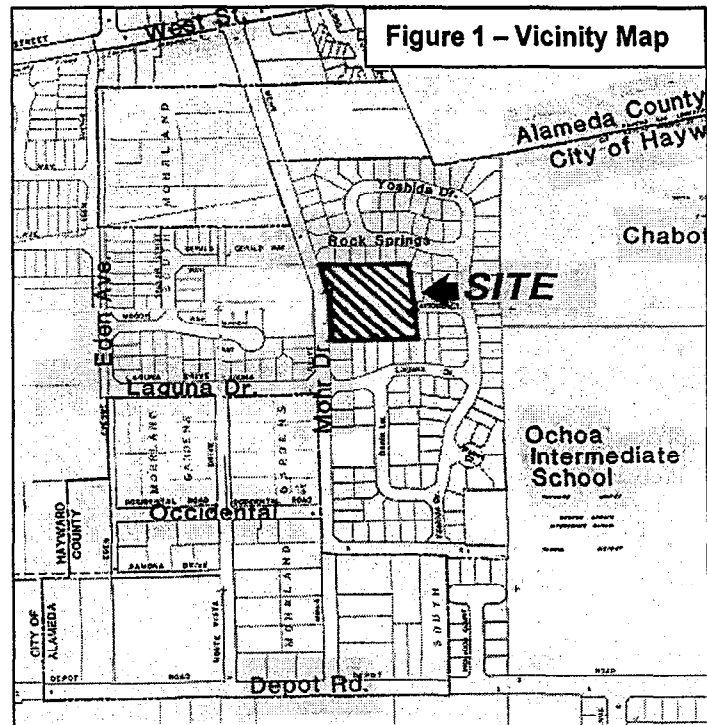
**DISCUSSION:**

**Property Description**

The site is composed of three separate parcels, which provide approximately 288 feet of frontage on Mohr Drive. The property is generally flat with a very minor slope toward Mohr Drive. The 1.92-acre site has an average depth of approximately 298 feet. Two dwellings, both of which have accessory structures, are located on the site and will be removed. Fifteen trees of various species are located on the property, mostly near Mohr Drive. While some of these trees are not in good form, others have a well-formed head and should be retained.

### Adjacent Land Use

The immediate area is part of an established residential neighborhood. The adjacent properties to the north, east and south have been developed with single-family, two-story detached dwellings built on lots of 4,434-square-foot (average), with the smallest lot of 3,640 square feet and the largest lot approximately 8,000 square feet in area. These homes were developed within several tracts that are zoned PD (Planned Development) District before the City adopted standards for small lots. To the west across Mohr Drive is the Mohrland Water District well field and pump station that serves some 80 residences in the immediate area that are not within the City limits of Hayward. Beyond the pump station are single-family dwellings located on larger lots and newer subdivisions recently established on residential lots of 4,000 square feet in size.



### Setting

The subject property is an island in a larger housing development that was constructed on the former Sunnyside Nursery. The subdivisions (Tracts 6713 and 6646) were developed in a Planned Development District. Bamboo Court was truncated at the easterly property line of the subject site in anticipation of extending it to a cul-de-sac with future development. The detached, single-family dwellings built by Plymouth to the north, east, and south of the site are two-story structures with dwelling sizes ranging between 1,799 square feet (3 bedrooms/2 1/2 baths) to 1,882 and 2,332 square feet (4 bedrooms/3 baths), with a few 5 bedroom dwellings containing 2,480 square feet. All of the homes were developed with a Mediterranean or Spanish design theme. These units are clad in stucco with wood trim around windows and doors and have barreled-tile roofs. These houses are varied to provide interest, and they have strong, distinctive entries. Some of the rear yards of the abutting homes of these adjacent tracts were allowed to be only 13 feet deep for the first floor and 20 feet for the second floor.

### Model Designs

The applicant proposes two model types. Each of the dwellings is two-story, single-family detached. Plan 1 is a 2,360-square-foot unit with a minimum of 3 bedrooms, and 3-full bathrooms. The plans depict that this unit has a three-car garage, which does not meet the Zoning Ordinance requirement that the garage face not exceed 50 percent of the width of the dwelling in order to maintain living spaces overlooking the street. In order to not conflict with City

requirements, the developer plans to offer the third garage space as an internal storage or work space only. No garage door will be provided for this storage or workspace. The outside wall of this area will be similar to other exterior treatment. This treatment is shown on the elevation for this model. This same storage area can also be offered as an optional bedroom or den which can be connected to the entry area of the dwelling. A second floor option is also available which utilizes the open area above the family room as a bonus room or fifth bedroom or owner's retreat.

Plan 2 is a 2,220-square-foot unit containing a minimum of 3 bedrooms with 2½ baths. This unit has a three-car garage, but the third stall is in tandem to one of the front car stalls. An option to the garage is shown to provide this tandem space as an optional bedroom or den. In doing this option, the downstairs ½ bath is made slightly larger to accommodate a shower stall and the access to the garage is modified to have the door to the garage placed at the bottom of the stairwell that leads to the second floor. An option to the second floor is the provision of another bedroom and a bonus room to be built in the open area above the living room.

Staff finds the two unit plans to be acceptable. The design of these two units is varied and will provide different façade treatments to enhance the streetscape.

### **Elevations**

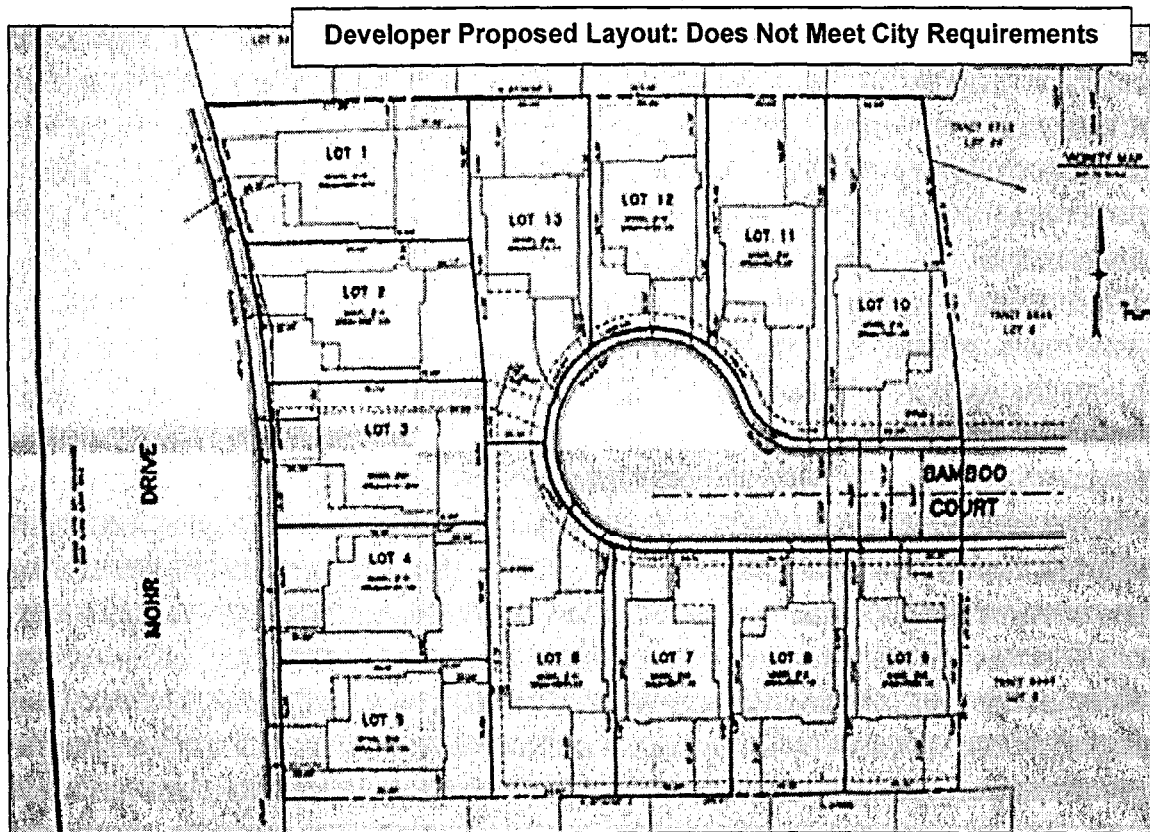
The design of the proposed dwellings is a contemporary Spanish-style with buildings being clad in stucco and incorporating Spanish barreled concrete tiles on the roof. Each floor plan has two elevation packages showing differences in the sectional garage doors, the design and color of the wainscoting or other material at the base of the structure, and the trim and arches used at the covered entries. The buildings are attractive and will provide a good house design for the homebuyer. The color package of each will provide even greater differences so that no two homes should be alike. This is a small subdivision and the developer believes that the two floor plans with two building elevations for each with change in roof types, window placement and groupings, etc. provide adequate differences to make the streetscape attractive.

Staff has pointed out to the developer that their project is an inset to an existing tract of homes that reflect a Spanish or Mediterranean theme. The City of Hayward Design Guidelines state that the "design guidelines emphasize compatibility of new construction with existing structures..." Furthermore, it states that "no building can be evaluated separately from its context, whether natural land forms or surrounding development. Individual buildings should fit well with existing or planned character of surroundings and should form a coherent pattern of circulation and open space." Regarding the architectural design of materials and colors, the guidelines states that the "selection of exterior materials and colors should take into account the existing fabric of the surrounding community." Staff finds that the proposed units are attractive, and that use of Spanish roof tiles and stucco exterior material will help make this project consistent with the design theme that has already been established in the neighborhood. The proposed homes will be compatible with the adjacent homes.

### Landscaping

In order to maintain continuity throughout the small tract of homes, the applicant proposes to landscape the front yard setback area of each home site. Project landscaping will include a mixture of groundcover, shrubs and trees

The applicant has submitted an arborist report, which lists the 15 trees that are located on the property. The report indicates the health of each specimen and comments on the form and value of each tree. Some of these trees would be desirable to be retained and should be incorporated within the final landscape plans. Tree No's 11, 12 and 14 are the only three trees which are shown to be within the buildable area of the respective lots where they are located. These trees cannot be saved if the plan is approved as submitted. The Tree Preservation Ordinance requires that prior to issuance of a grading permit, that a tree removal permit be obtained for any trees to be removed from the property that meet the 10" diameter or larger size. Replacement trees shall be required for any trees removed.



### Subdivision Layout

The applicant has submitted a Vesting Tentative Map Tract 7044 showing subdivision of three parcels into 13 lots. Lots 1 through 5 are shown to be oriented toward Mohr Drive. Lots 6 through 13 are shown to be fronting the extension of Bamboo Court. The smallest of the 13 lots is Lot 12, which is 4,785± square feet in area. Eight of the lots exceed 5,000 square feet in area, and the remaining four lots range between 6,114± and 7,081± square feet in area. All lots have a minimum width of 50 feet and the lots fronting Mohr Drive have a minimum

depth of 90 feet. All the lots proposed on the extension of Bamboo Court have a minimum depth of 101 feet.

From the time of initial application, staff suggested redesigning the tract so that lots radiate from the end of the cul-de-sac in a typical format. City staff has maintained that the proposed layout of Lots 6 and 13 are impacting the proposed lots that front Mohr Drive since they place their respective dwellings closer to the lot line than those dwellings that they abut. More specifically, the proposed two story dwellings are within 5 and 8.4 feet of the side property line where the proposed abutting dwellings would be separated by this same property line of some 20 feet. The layout of this design provides for less privacy to these homes on Mohr Drive because of the potential allowance of second floor rooms looking down into the rear yard of the Mohr Drive homes. Furthermore, the depth of the lots at the terminus of the extension of Bamboo Court is only 25 feet adjacent to a wood fence which provides a less attractive view from those looking down to the end of the street. Staff believes that it would be more attractive to view homes at the end of the cul-de-sac than a 6-foot-high wood fence and the back of a house. This position is consistent with the City's design guidelines that state, "Do not create negative view corridors, such as a street ending at a blank wall."

The applicant has indicated that he does not wish to modify this design since it would mean one less lot. The developer further maintains that the design is justified since the design of the street requires that the drainage and looped water line must be taken from Bamboo Court to Mohr Drive. From a maintenance point of view, the applicant believes that it is less disruptive to the property owners to have a shorter distance to carry the utility lines than to have them pass through twice as many rear yards as proposed by staff. While the length of the utility easement would be elongated, staff does not believe this to be a major problem, since it is rare that sewer or drainage lines have to be physically opened and repaired.

In order to alleviate some of staff concerns regarding the privacy issue, the applicant has indicated that the dwellings on Lots 6 and 13 would be flipped so that on the second floor of each dwelling, there would be no major rooms that would look down into the rear yards of the proposed abutting homes to the west. As proposed by the applicant, the area on the second floor is the high ceiling area of the living space on the ground floor. The only rooms on the second floor of these two units are bathrooms and they would be provided with opaque glass. The applicant states that they would also be willing to plant a tree screen along the rear lot line of these abutting homes to provide a landscape buffer and privacy screen.

A similar lotting pattern as proposed by the applicant was recently reviewed by City Council for another project, which generated some discussion. At the City Council meeting of October 13, 1998, the Council held over the approval of Tract 7033 submitted by Greystone on the Western Garden Nursery site located on Hesperian Boulevard because of their concern over a somewhat similar lotting pattern at the end of the proposed cul-de-sac of that development. The Council was concerned about the lotting pattern since they believed it created a privacy issue to the neighboring lots. In regard to the Tract 7033, the Council approved the lot in question, but the difference between that lot and the Lots 6 and 13 of the Passport application, was that the lot was over 7,000 square feet, it had a 10-foot side yard setback, and the lots



### **Traffic and Circulation**

Bamboo Court is a dead-end street terminating approximately 160 feet west of Laguna Drive. The City Engineer recommended that Bamboo Court not extend through to Mohr Drive, a collector street, to maintain the current minimum intersection spacing on Mohr Drive. The project will therefore extend and cul-de-sac Bamboo Court, and construct it to City standards; to be dedicated as a public street. The Mohr Drive frontage is to be improved with curb, gutter, sidewalk and tie-in paving.

### **Utilities & Engineering Services**

In order to provide adequate drainage and a looped water system, the proposed storm drain and water mains will extend from the cul-de-sac to Mohr Drive within public easements that will be dedicated on the final map. The existing sanitary sewer main within the existing stubbed street portion of Bamboo Court is to be extended to serve the project. These proposed utilities will be public utilities owned and maintained by the City of Hayward. Utilities in the project vicinity are of adequate size and capacity to serve the proposed project.

The property is relatively flat. The rough grading that will be done, as part of this tract is minimal. Before issuance of a building permit, a soils investigation of the site will be required.

There is a power pole located at the edge of the pavement on the west side of Mohr Drive, across the street from Lot 2, that is too close to the vehicular travel way. Staff is recommending that this pole be relocated 10±-feet westerly to a location approved by the City Engineer.

### **General Plan, Zoning, and Neighborhood Plan Consistency**

The property is designated as Limited Medium Density (8.7-12.0 Dwelling Units per Net Acre) on the General Policies Plan Map. The density of the proposed 13-unit subdivision is 6.8 dwelling units per gross acre, less than the General Plan Map " Residential-Limited Medium Density" range. The project is consistent with this designation. One of the major goals of the Housing Element of the General Policies Plan is to "Encourage the provision of an adequate supply of housing in a variety of housing types which accommodate the diverse housing needs without adversely compromising the character and integrity of the residential areas." In addition, Policy 1.2 states "Promote development of infill housing units within existing residential neighborhood."

The developer has proposed a less dense project by creating larger lots, which allows for more separation between structures and allows a greater rear yard setback than the required 20 feet. The developer believes this to be important since many of the adjoining dwellings only have a 13-foot-deep rear yard

### **School Facilities**

The school facility that serves the property is Eden Gardens School located on Mohr Drive. Since the numbers of students generated from this development would be small, Based upon Hayward Unified School District 1998 figures, the proposed 13 new single-family detached homes will result in an estimated 7 school-age children (two K-3<sup>rd</sup> grade, two 4<sup>th</sup> -6<sup>th</sup> grade,



one 7<sup>th</sup> - 8<sup>th</sup> grade, and two 9<sup>th</sup> - 12<sup>th</sup> grade students). Elementary students in this residential project would attend Eden Gardens School. Eden Gardens School is able to house them. The district expects to receive the statutory dollar per square foot limit for development fees.

With the passage of Proposition 1A on November 3, 1998, local governments are prohibited from denying projects based on the adequacy of school facilities and from seeking funds to mitigate impacts in excess \$1.93 per square foot for residential construction.

### **ENVIRONMENTAL REVIEW**

A Negative Declaration was prepared and distributed for a period of 20 days beginning on November 2, 1998, in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. A notice of its availability for review and notice of this hearing were sent to all property owners and occupants within 300 feet of the perimeter of the property and to other interested parties. The environmental review concluded that the project, with the recommended mitigation measures, would not have a significant effect on the environment.

### **PUBLIC NOTICE**

On July 7, 1998, a notice was mailed to all property owners within 300 feet of the subject property, abutting residences, and interested parties regarding a preliminary meeting. One neighbor expressed concerns of relocating the power pole on Mohr Drive that was too close to the travel lane. The developer agreed to relocate the pole. A condition of approval of the project will require the relocation of the pole to a place that is in satisfaction of the City Engineer. No other comments were received.

On November 2, 1998, a notice of the Planning Commission public hearing was mailed to all property owners and occupants within 300 feet of the property, other interested parties, and former members of the Mt. Eden Neighborhood Task Force. On this same date, a public hearing notice was published in the Daily Review.

### **CONCLUSION**

The proposed residential subdivision is consistent with adopted land use policies of the Housing Element of the General Policies Plan and the Mt. Eden Neighborhood Plan. Both encourage limited medium density housing and the opportunities for home ownership. This project will provide 12 or 13 single-family detached dwellings on minimum 4,786-square-foot lots in the neighborhood and will fill in the under utilized property that insets the newer housing development to the north, east and south of the property. Staff does not support the lot pattern as proposed by the developer because the design is inconsistent with the City's Design Guidelines and since potential impacts would be created to adjoining proposed lots. Staff does support the architectural style of the proposed dwellings and believes that these units will complement the adjoining homes found in the neighborhood.

Vesting Tentative Map Tract 7044 and Site Plan Review Application No. 98-130-10 - Passport Homes, Inc. (Applicant) - Tom & Helga Barras et al (Owners)

---

Prepared by,

Sheldon R. McClellan

Sheldon R. McClellan  
Senior Planner

for Bashar Inastus  
Tim Koonze  
Development Services Specialist

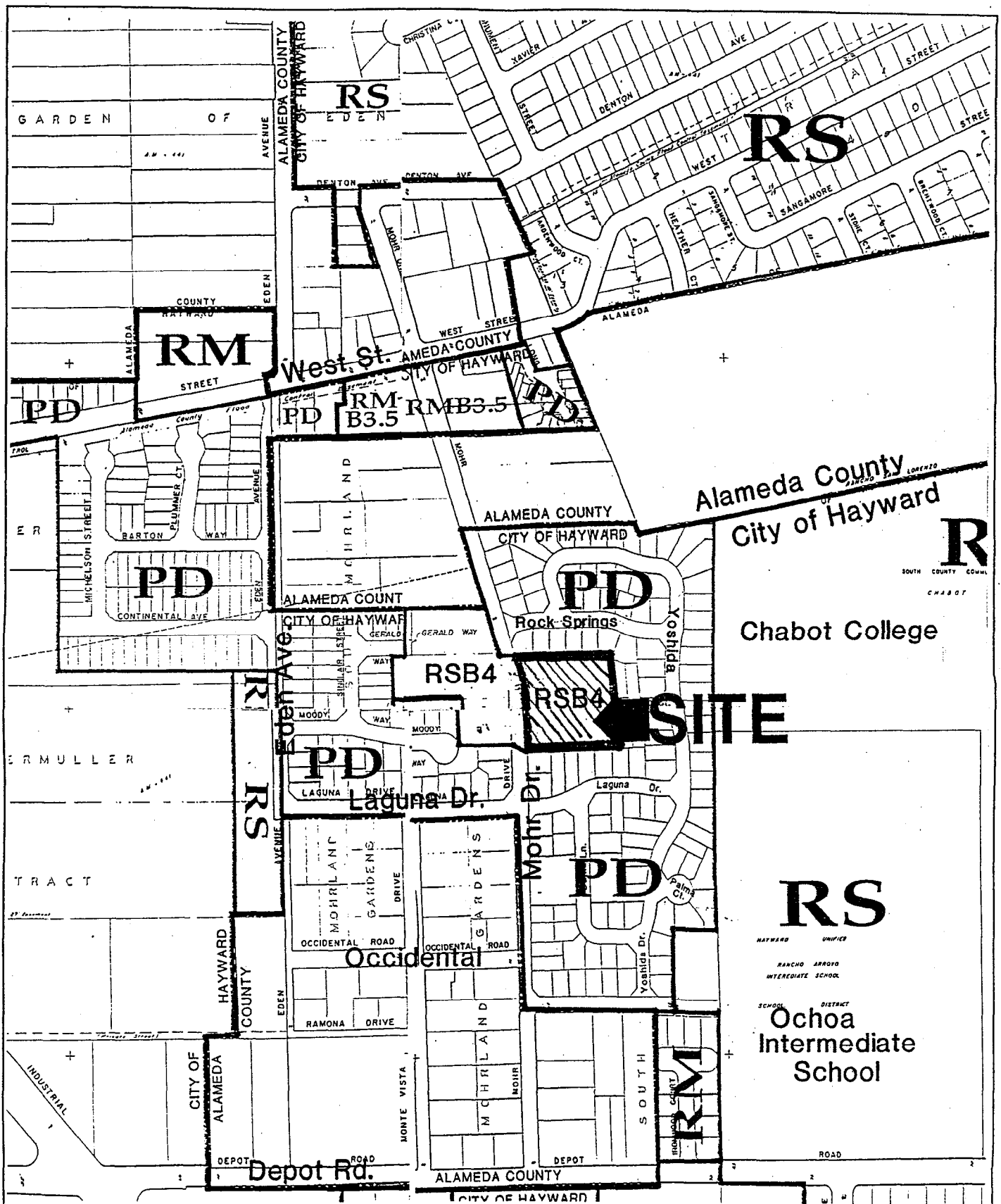
Approved by,

Dyana Anderly

Dyana Anderly, AICP  
Development Review Services Administrator

Attachments:

- A - Area and Zoning Maps
- B - Negative Declaration and Initial Study
- C - Findings for Denial of Vesting Tentative Map Tract 7044
- D- Findings for Denial of Site Plan Review No. 98-130-10
- E - Tree Study by Tree Wise, dated June 10, 1998
  - Tentative Parcel Map No. 7040
  - Site Plan, Elevations and Floor Plans



### ZONING/AREA MAP ■ SPR 98-130-10

Donald Babbitt c/o Passport Homes, Inc. (Applicant) ■ Tom & Helga Barras/Harry Tamura, Alice Nishioka, Sachiyo Hayashi c/o Passport Homes, Inc. (Owners)  
24912, 24918 & 24924 Mohr Drive



**CITY OF HAYWARD**  
**NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

**I. PROJECT DESCRIPTION:**

VESTING TENTATIVE MAP TRACT 7044 - PASSPORT HOMES, INC.  
(APPLICANT) TOM & HELGA BARRAS ET.AL. (OWNERS) - Request to subdivide three parcels totaling 1.92 acres into 13 parcels ranging in size from 4,786 square feet to 7,081 square feet.

SITE PLAN REVIEW APPLICATION NO. 98-130-10 - PASSPORT HOMES, INC.  
(APPLICANT) TOM & HELGA BARRAS, ET.AL. (OWNERS) - Request approval of site and architectural plans for 13 single-family dwellings.

The proposed project is located at 24912, 24918 and 24924 Mohr Drive, easterly side, approximately 130 feet north of Laguna Drive and to the west of Bamboo Court in an RSB4 (Single-Family Residential, 4,000-square-foot minimum lot size) District.

**II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:**

The proposed project will have no significant effect on the area's resources, cumulative or otherwise.

**III. FINDINGS SUPPORTING DECLARATION:**

- A. The project site is outside the Earthquake Hazard Zone. A soils investigation report will be required prior to issuance of a building permit.
- B. CEQA Evaluation: The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the project will not have a significant impact on the environment.
- C. The proposed development of 13 single-family dwellings on individual minimum 4,000 square-foot lots is in conformance with the General Policies Plan Map designation of "Residential Limited Medium Density" and with the Mt. Eden Neighborhood Plan and conforms with policies that encourage moderate income ownership housing in infill residential areas.

- D. The proposed project is in conformance with the intent and purpose of the Zoning Ordinance designation of "Single-Family Residential, 4,000-square-foot minimum lot size) District " for the property.
- E. The proposed project will not create significant impacts related to changes in topography, water quality, or site drainage or the removal of significant vegetation or animal habitat.
- F. The proposed site plan layout provides proper access, circulation and parking for project tenants and visitors; trash and recycling storage areas are provided and there is adequate area for landscaping and private open space.
- G. The proposed project, with proposed conditions of approval, will not expose surrounding residents or future residents of the project to detrimental noise levels, light or glare, or hazardous materials.
- H. There is no evidence of historical or archaeological resources within the project area.

**IV. PERSON WHO PREPARED INITIAL STUDY:**



Sheldon R. McClellan  
Senior Planner

Dated: November 6, 1998

**V. COPY OF INITIAL STUDY IS ATTACHED**

For additional information, please contact the City of Hayward, Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4215.

**DISTRIBUTION/POSTING**

Provide copies to all organizations and individuals requesting it in writing.  
Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.  
Project file.  
Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
Development Review Services Division

INITIAL STUDY CHECKLIST FORM

Project title: Vesting Tentative Map Tract 7044 & Site Plan Review Application No. 98-130-10

Lead agency name and address: City of Hayward, 777 B Street, Hayward, CA 94541-5007

Contact person and phone number: Sheldon R. McClellan, Senior Planner, (510) 583-4215

Project location: 24912, 24918 and 24924 Mohr Drive, easterly side, approximately 130 feet north of Laguna Drive and to the west of Bamboo Court, Hayward, CA 94545

Project sponsor's Name and address: Donald Babbitt/Passport Homes, Inc., 11740 Dublin Boulevard, Suite #203, Dublin, CA 94568, (925) 833-8022

General Plan: Residential - Limited Medium Density

Zoning: RSB4 (Single-Family Residential - 4,000 square-foot minimum lot size) District

Description of project: VESTING TENTATIVE MAP TRACT 7044 - PASSPORT HOMES, INC. (APPLICANT), TOM & HELGA BARRAS, ET.AL. (OWNERS) - Request to subdivide three parcels totaling 1.92 acres into 13 parcels ranging in size from 4,786 square feet to 7,081 square feet.

SITE PLAN REVIEW APPLICATION NO. 98-130-10 - PASSPORT HOMES, INC. (APPLICANT) TOM & HELGA BARRAS ET.AL. (OWNERS) Request approval of site and architectural plans for 13 single-family dwellings.

APN: 441-74-16, 17, 18

Surrounding land uses and setting: Single-family residences zoned RSB4 (Single-Family Residential - 4,000 square foot minimum lot size) and PD (Planned Development [RSB4] Zoning Districts.

Other public agencies whose approval is required: N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning                 | <input type="checkbox"/> Transportation/Circulation   | <input type="checkbox"/> Public Services               |
| <input type="checkbox"/> Population and Housing                | <input type="checkbox"/> Biological Resources         | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems                   | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics                    |
| <input type="checkbox"/> Water                                 | <input type="checkbox"/> Hazards                      | <input type="checkbox"/> Cultural Resources            |
| <input type="checkbox"/> Air Quality                           | <input type="checkbox"/> Noise                        | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Mandatory Findings<br>Of Significance |   |  |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Sheldon R. McClellan  
Signature

Sheldon R. McClellan  
Printed name

August 28, 1998  
Date

City of Hayward  
For

## ENVIRONMENTAL IMPACTS:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

### I. LAND USE AND PLANNING. *Would the proposal:*

- a) Conflict with general plan designation or zoning?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The property is designated as Limited Medium Density (8.7-12.0 Dwelling Units per Net Acre) on the General Policies Plan Map. The proposed medium density residential project is consistent with this designation. A goal of the Housing Element of the General Policies Plan is to "Encourages the provision of housing units in a variety of housing types which accommodate the diverse housing needs of those who live, or wish to live in the City." In addition, Policy 1.2 states "Promote development of infill housing units within existing residential neighborhood in a variety of housing types. Therefore, the proposed 13-lot parcel map and the 13 single-family homes meet this policy

Impact: No impact.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The project is not in conflict with environmental plans or policies adopted by City or other governmental agencies.

Impact: No impact.



- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| c) Be incompatible with existing land use in the vicinity? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The proposed use is compatible with other small lot single-family residential land uses in the vicinity.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site is not zoned for agricultural uses.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not disrupt the physical arrangement of existing residential development. The project site is an infill area and will provide 13 homes on an existing vacant land.

Impact: No Impact.

## II. POPULATION AND HOUSING. *Would the proposal:*

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The density of the project is slightly below the projected density for this site. The General Plan Designation is Limited Medium Density Residential (8.7-12.0 dwelling units per net acre) while the density proposed is at approximately 7 units per acre.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*See II a*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site is developed with three older single-family dwellings.

Impact: No impact.

### III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- |                   |                          |                          |                          |                                     |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The property is outside the Hayward Special Studies Fault Zone. The site is located approximately 2.8 miles from the Hayward fault.

- b) Seismic ground shaking?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comment: The projected shaking intensity for this area if an earthquake with the magnitude of 7.0 were to occur on the South segment of the Hayward Fault is IX Heavy on the Modified Mercalli scale. It is projected that 18% of all single-family homes built after 1940 would be Red Tagged not fit to inhabit. (Source: On Shaky Ground-ABAG-April 1995)

Impact: Less than significant impact based on structural requirements of the Uniform Building Code.

- c) Seismic ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This area is not known to have the potential for seismic ground failure including liquefaction.

Impact: No impact.

- d) Seiche, tsunami, or volcanic hazard?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Not known in this area.

Impact: No impact.

- e) Landslides or mudflows?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Area is not in the hillside and is not susceptible to mudflows.

Impact: No impact.

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| f) Erosion changes in topography or unstable soil conditions from excavation, grading, or fill? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: Conditions do not exist.

Impact: No impact.

- |                        |                          |                          |                          |                                     |
|------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Subsidence of land? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Area is not known for this condition.

Impact: No impact.

- |                     |                          |                          |                          |                                     |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Expansive soils? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The soils are alluvial and sedimentary rock.

(Source: Geologic Map of California  
Compiled by U.S. Geological Survey)

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Unique geologic or physical features do not exist. This is an area developed with residential housing and is relatively flat.

Impact: No impact.

#### IV. WATER. *Would the proposal result in:*

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The site has been developed with a couple of single-family homes, accessory structures and a yard with trees. This project would not change absorption rates, drainage patterns or the amount of surface run-off.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people or property to water related hazards such as flooding? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site is not located in an area that is susceptible to flooding.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not discharge into surface waters or affect surface water quality.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not affect the amount of surface water in any water body.

Impact: No impact.

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| e) Changes in currents, or the course or direction of water movements? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The project will not affect water currents, direction or course of water movements.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not affect ground water.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Altered direction or rate of flow of groundwater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not affect ground water.

Impact: No impact.

- |                                    |                          |                          |                          |                                     |
|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Impacts to groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not affect ground water.

Impact: No impact.

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The project will not affect ground water.

Impact: No impact.

**V. AIR QUALITY. *Would the proposal:***

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not affect the air quality standard nor will it contribute to an existing or projected air quality violation.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Expose sensitive receptors to pollutants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The addition of thirteen single-family homes will not expose sensitive receptors to pollutants.

Impact: No impact.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Alter air movement, moisture, or temperature, or cause any change in climate? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not alter air movement, moisture, or temperature, or cause any change of climate.

Impact: No impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- d) Create objectionable odors?

Comment: This project is a residential development and will not create objectionable odors.

Impact: No impact

## VI. TRANSPORTATION/CIRCULATION.

*Would the proposal result in:*

- a) Increased vehicle trips or traffic congestion?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: It is anticipated that 4 am and pm peak hour vehicle trips will be generated by this project. This is consistent with existing residential properties and that the addition of 13 single-family residences located on Mohr Drive and the extension of Bamboo Court will not have an impact on traffic nor cause traffic congestion.

Impact: No impact.

- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The proposed homes are to be located on standard residential streets which have been designed with safety in mind. Adequate turning radii will be provided and automobiles will not back onto any arterial roadway. Sufficient backing space will be provided on each parcel.

Impact: No impact.



- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| c) Inadequate emergency access or access to nearby uses? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: Adequate emergency access will be provided.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity onsite or offsite? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Adequate parking will be provided. Each parcel will provide a two-car garage and 2 additional parking spaces can be provided on the driveway of each unit in addition to one space on the street, for a total of 5 spaces.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f)  |                          |                          |                          |                                     |

Comment: The project will not result in hazards or barriers for pedestrians or bicyclists.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not conflict with adopted policies supporting alternative transportation.

Impact: No impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Rail waterborne or air traffic impacts?

Comment: Rail, water nor air traffic will be impacted.

Impact: No impact.

**VII. BIOLOGICAL RESOURCES.** *Would the proposal result in impacts to:*

- a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The site has been developed with a couple of single-family homes and accessory structures. No endangered, threatened or rare species or their habitats were observed during a field investigation on August 28, 1998 by City of Hayward Development Review Service staff.

Impact: No impact.

- b) Locally designated species (e.g., heritage trees)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The site does not contain locally designated species( Source: Field investigation on August 28, 1998 by City of Hayward Development Review Service staff).

Impact: No impact.

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The site does not contain locally designated natural communities.

Impacts: No impacts.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site does not contain a wetland habitat. ( Source: Field investigation on August 28, 1998 by City of Hayward Development Review Service staff).

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site is not located within a wildlife dispersal or migration corridor.

Impact: Impact

#### VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not conflict with adopted City of Hayward energy conservation plans.

Impact: No impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Use nonrenewable resources in a wasteful and inefficient manner?

Comment: The site will receive electrical power from Pacific, Gas & Electric.

Impact: No impact.

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This site is located in an area that is zoned for residential development. Mineral resources are not known to exist in this area.

Impact: No impact.

**IX. HAZARDS.** *Would the proposal involve:*

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This is a residential development.

Impact: No impact.

- b) Possible interference with an emergency response plan or emergency evacuation plan?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The project does not have the potential to interfere with an emergency response or evacuation plan. Fire, Police and other emergency vehicles will be able to access the 13 single-family homes.

Impact: No impact.

- c) The creation of any health hazard or potential health hazard?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The project will meet City of Hayward and Uniform Fire Code standards that mitigate potential health and safety hazards.

Impact: No impact.

- d) Exposure of people to existing sources of potential health hazards?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The project will meet City of Hayward and Uniform Fire Code standards that mitigate potential health and safety hazards.

Impact: No impact.

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| e) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The project will not introduce flammable brush, grass, or trees. A landscape plan will be approved and a condition of approval requires the residential development to be kept free of weeds and that the landscaping is to be maintained.

Impact: No impact.

**X. NOISE.** *Would the proposal result in:*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: A temporary increase in noise will occur during the construction of the project. However, hours of construction are regulated by the City of Hayward Noise Ordinance and the impacts will be minimal. The completed project will not create noise levels that are above noise levels for the area.

Impact: Temporary; the duration of construction.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: People will be exposed to an increase in noise levels during the construction of the project; however, the exposure to construction noise is temporary. People will not be exposed to severe noise levels.

Impact: Temporary construction noise; not to reach severe noise levels.

	Potentially Significant Unless Mitigation Incorporated	Potentially Significant	Less Than Significant Impact	No Impact
--	--	----------------------------	------------------------------------	--------------

**XI. PUBLIC SERVICES.** *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

a) Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This project will not create the need for new services.

Impact: No impact.

b) Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This project will not create the need for new services.

Impact: No impact.

c) Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: There will not be an impact beyond that anticipated in the Hayward General Policies Plan.

Impact: No impact.

d) Maintenance of public facilities, including roads?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: This project will affect the maintenance of public facilities.

Impact: No impact.

e) Other government services?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Four homes will require to be added to the exiting postal route.

Impact: No impact.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	--------------

## XII. UTILITIES AND SERVICE SYSTEMS.

*Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

- a) Power or natural gas?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact.

- b) Communications systems?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact.

- c) Local or regional water treatment or distribution facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact.

- d) Sewer or septic tanks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact.

- e) Storm water drainage?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact.



- |                          | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--------------------------|--------------------------------------|--|------------------------------------|-------------------------------------|
| f) Solid waste disposal? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: The project conditions of approval require adequate solid waste disposal and participation in the City of Hayward recycling program is required. A solid waste disposal company services the area that the project is located.

Impact: No impact.

- |                                      |                          |                          |                          |                                     |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Local or regional water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Existing facilities are adequate to accommodate the project.

Impact: No impact Existing facilities are adequate to accommodate the project.

### XIII. AESTHETICS. *Would the proposal?*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Project is not located near a scenic vista or scenic highway.

Impact: No impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a demonstrable negative aesthetic effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not have a demonstrable negative aesthetic effect.

Impact: No impact.

- |                           |                          |                          |                          |                                     |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Create light or glare? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not result in a new source of light or glare.

Impact: No impact.

	Potentially Significant Unless Mitigation Incorporated	Potentially Significant	Less Than Significant Impact	No Impact
--	--	----------------------------	------------------------------------	--------------

**XIV. CULTURAL RESOURCES.** *Would the proposal:*

- a) Disturb paleontological resources?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The project is located in an area not known for paleontological resources.

Impact: No impact.

- b) Disturb archaeological resources?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The project is located in an area not known for archaeological resources.

Impact: No impact.

- c) Have the potential to cause a physical change which would affect unique cultural values?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The construction of 4 single-family homes will not affect cultural values.

Impact: No impact.

- d) Restrict existing religious or sacred uses within the potential impact area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Religious or sacred uses do not occur on this site.

Impact: No impact.

**XV. RECREATION.** *Would the proposal:*

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: Park dedication in-lieu fees are required to be paid by the developer.

Impact: Fees will mitigate any impacts.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See XV a. In addition, the General Policies Plan designation is Limited Medium Density Residential not Open Space which would allow the development of a park.

Impact: No impact.

#### XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, Environmental goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have impacts that individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past  |                          |                          |                          |                                     |

projects, the effects of other current projects, and the effects of probable future projects)

☐☐☐☒

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐☐☐☒

## **XVII. EARLIER ANALYSES.**

None.

a) **Earlier analyses used..** None.

b) **Impacts adequately addressed.** None.

**EXHIBIT C**

**FINDING FOR DENIAL  
VESTING TENTATIVE TRACT MAP 7044  
FOR 13 SINGLE-FAMILY  
Passport Homes, Inc. (Applicant) - Tom & Helga Barras et al (Owners)  
Bamboo Court**

Based on the public hearing record, the Planning Commission finds as follows:

- A. The tentative tract map as proposed *does not* conform with the City of Hayward Subdivision Regulations, in that it violates the requirements of the Hayward Municipal Code regarding lot design, lot lines, and lot size and proportion. Applicant did not show cause for grant of variance due to hardship or special circumstance and has declined to provide an alternative lot layout.

**EXHIBIT D**

**FINDING FOR DENIAL**  
**SITE PLAN REVIEW APPLICATION NO. 98-130-10**  
**Passport Homes, Inc. (Applicant) - Tom & Helga Barras et al (Owners)**

Based on the public hearing record, the Planning Commission finds as follows:

The proposed siting of residences on the single-family detached lots **does not** comply with the intent of City development policies including the City of Hayward Design Guidelines which advocates not creating negative view corridors, such as a street ending at a blank wall

**EXHIBIT F**

**LOT 1**  
MODEL #2B  
AREA=5890.97\*

**LOT 2**  
MODEL #1A  
AREA=5281.33\*

**LOT 3**  
MODEL #2A  
AREA=5141.86\*

**LOT 4**  
MODEL #1B  
AREA=5120.16\*

**LOT 13**  
MODEL #2A  
AREA=6114.71

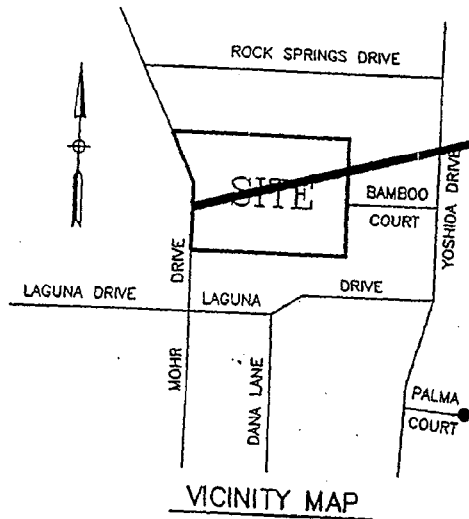
**VICINITY MAP**

ROCK SPRINGS DRIVE  
BAMBOO COURT  
YOSHIDA DRIVE  
MOHR DRIVE  
LAGUNA DRIVE  
LAGUNA  
DANA LANE  
PALMA COURT

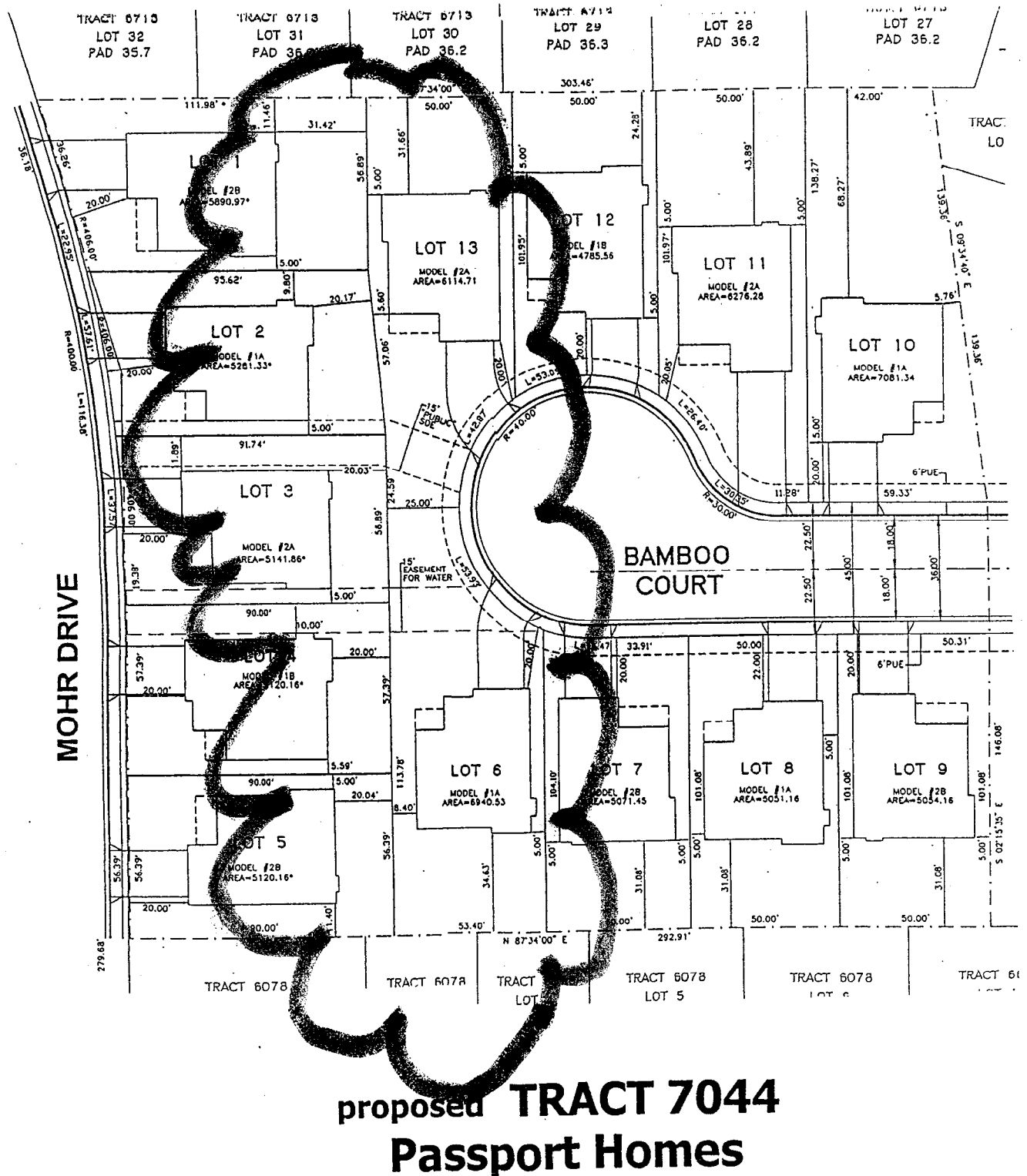
**SITE**

LAGUNA DRIVE  
MOHR DRIVE  
YOSHIDA DRIVE  
BAMBOO COURT  
PALMA COURT

111.98' +  
11.46'  
31.42'  
56.89'  
5.00'  
31.66'  
50.00'  
N 87°34'00" E  
5.00'  
5.00'  
101.95'  
20.00'  
57.06'  
5.60'  
20.17'  
9.80'  
95.62'  
5.00'  
20.00'  
11.89'  
91.74'  
5.00'  
20.03'  
24.59'  
56.89'  
25.00'  
15' EASEMENT FOR WATER  
15' PUBLIC SOE  
R=40.00'  
L=116.38'  
R=400.00'  
L=57.61'  
R=406.00'  
L=37.51'  
36.18'  
36.26'  
20.00'  
R=406.00'  
L=22.95'  
36.26'



**COMPARISON OF WESTERN GARDEN NURSERY SITE  
(TRACT 7033) WITH PROPOSED TRACT 7044 (PASSPORT  
HOMES, INC.)**







**DRAFT**

*DR*  
*12/29/98*

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION DENYING VESTING TENTATIVE MAP FOR  
TRACT 7044**

WHEREAS, there has been presented to the City Council of the City of Hayward a vesting tentative map for Tract 7044 to subdivide three parcels totaling 1.92 acres into 14 parcels ranging in size from 4,786 square feet to 7,081 square feet and to request approval of site and architectural plans located at 24912, 24918 and 24924 Mohr Drive, easterly side, approximately 130 feet north of Laguna Drive and to the west of Bamboo Court, in an RSB4 (Single-Family Residential, 4,000 square-foot minimum lot size) District; and

WHEREAS, a negative declaration has been prepared and processed for this subdivision in accordance with City and state CEQA guidelines; and

WHEREAS, the City Council has reviewed and considered all material presented, including the record of the proceedings before the Planning Commission; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the City Council has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, certifies that the negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the negative declaration reflects the independent judgment of the City of Hayward; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the tentative tract map as proposed does not conform with the City of Hayward Subdivision Regulation, in that it violates the requirements of the Hayward Municipal Code regarding lot design, lot lines, lot size and proportion. The applicant did not show cause for granting of variance due to hardship or special circumstance and has declined to provide and alternative lot layout.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the negative declaration is hereby approved and the vesting tentative map for Tract 7044 is hereby denied.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward